EXECUTIVE JOURNAL.

[TWENTY-SIXTH SESSION.]

MONDAY, NOVEMBER 9, 1807.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

Vacancies having happened during the last recess of the Senate, in the following offices, I granted commissions to the persons herein named to them respectively. As these commissions will expire at the end of the present session of the Senate, I now nominate the same persons to the same offices, respectively, for appointment.

James Prince, of Massachusetts, Marshal of the District of Massachusetts.

Lemuel Trescott, of Massachusetts, Collector and Inspector of the district and port of Machias.

Jonathan Bull, of Connecticut. Commissioner of Loans for the State of Connecticut.

Jonathan Palmer, of Connecticut, Surveyor and Inspector of the Revenue, for the port of Stonington.

John Vernor, of New York, Surveyor and Inspector of the Revenue for the port of Albany.

Oliver Wayne Ogden, of New Jersey, Marshal of the district of New Jersey.

John Shee, of Pennsylvania, Collector of the district of Philadelphia.

Lewis Ford, of Maryland, Surveyor and Inspector of Revenue for the port of Llewellensburg.

Lemuel P. Spence, of Maryland, Collector of the district, and Inspector of Revenue for the port of Snowhill.

Robert Brent, Thomas Peter, William Thornton, Joseph Sprigg Belt, Thomas Corcoran, Samuel N. Smallwood, Robert Alexander, Richard Parrot, Thomas Fenwick, John B. Kirby, John Ott, Samuel H. Smith, Daniel Rapine, Nicholas Young, and John Threlkeld, of the county of Washington, in Columbia, Justices of the Peace for the same county.

George Gilpin, Charles Alexander, Jr., Jonah Thompson, Abraham Faw, Cuthbert Powell, Alexander Smith, Jacob Hoffman, George Slacum, Elisha Cullen Dick, John McKinney, Robert Young, Joseph Dean, Amos Alexander, Clement Sewell, Richard Libby, John Richards, and Henry O'Reily, of the county of Alexandria, in Columbia, to be Justices of the Peace for the same county.

Alexander Moore, of Columbia, Register of Wills, for the county of Alexandria, in Columbia.

John McKinney, of Columbia, Surveyor and Inspector of Revenue for the port of Alexandria.

Larkin Smith, of Virginia, Collector of the district of Norfolk and Portsmouth.

Thomas Nelson, of Virginia, Collector of the district, and Inspector of Revenue for the port of York-Town.

Jacob Decamp, of Virginia, Surveyor of the port of Charlestown, in the district of Mississippi.

John S. West, of North Carolina, Marshal of the district of North Carolina.

Robert Cochrane, of North Carolina, Collector for the district of Wilmington, in North Carolina.

William H. Ruffin, of North Carolina, Surveyor and Inspector of the Revenue for the port of Windsor.

Abraham Bissent, of Georgia, Collector for the district of St. Mary's.

George M. Bibb, of Kentucky, Attorney of the United States, for the district of Kentucky.

James W. Moss, of Kentucky, Surveyor of the port of Limestone.

Richard Ferguson, of Kentucky, Surveyor and Inspector of Revenue for the port of Louisville.

Joseph Buell, of Ohio, Surveyor of the port of Marietta.

Thomas Bolling Robertson, of Virginia, Secretary of the Territory of Orleans.

Samuel Croudson, of Orleans, Naval Officer for the port of New Orleans.

Thomas H. Williams, of the Mississippi Territory, Secretary of the said Territory.

Lemuel Henry, of the Mississippi Territory, Receiver of the Public Moneys for the lands of the United States, East of Pearl river.

Jonathan Davis, of the Mississippi Territory, Surveyor of the port of Natchez.

John Coburn, of Kentucky, one of the Judges of the Territory of Louisiana.

Gideon D. Cobb, of Indiana Territory, Surveyor of the port of Massac.

Return Jonathan Meigs, Jr., of Louisiana, one of the Judges of the Territory of Michigan.

James Abbott, of Michigan, Receiver of Public Moneys for lands of the United States, at Detroit.

John McClallan, of Maryland, Consul for the United States, at the port of Batavia.

TH: JEFFERSON.

November 9th, 1807.

The message was read.

Ordered, That it lie for consideration.

TUESDAY, November 10, 1807.

The Senate resumed the consideration of the message received yesterday, from the President of the United States; and

Ordered, That it be postponed until Thursday next.

WEDNESDAY, November 11, 1807.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

[CONFIDENTIAL.]

To the Senate of the United States:

Some time had elapsed after the receipt of the late treaty between the United States and Tripoli, before the circumstance drew particular attention, that, although by the 3d article, the wife and children of the Ex-Bashaw; were to be restored to him, this did not appear either to have been done or demanded; still it was constantly expected that explanations on the subject would be received. None, however, having arrived when Mr. Davis went as Consul to Tripoli, he was instructed to demand the execution of the article. He did so; but was answered by the exhibition of a declaration, signed by our negotiator, the day after the signature of the treaty, allowing four years for the restoration of the family. This declaration, and the letter of Mr. Davis, stating what passed on the occasion, are now communicated to the Senate. On the receipt of this letter, I caused the correspondence of Mr. Lear to be diligently re-examined, in order to ascertain whether there might have been a communication of this paper made, and overlooked, or forgotten. None such, however, is found. There appears only, in a journalized account of the transaction by Mr. Lear, under date of June 3, a passage intimating that he should be disposed to give time, rather than suffer the business to be broken off, and our countrymen left in slavery; and again, that on the return of the person who passed between himself and the Bashaw, and information that the Bashaw would require time for the delivery of the family, he consented, and went ashore to consummate the treaty. This was done the next day; and being forwarded to us, as ultimately signed, and found to contain no allowance of time, nor any intimation that there was any stipulation but what was in the public treaty, it was supposed that the Bashaw had, in fine, abandoned the proposition, and the instructions before-mentioned were consequently given to Mr. Davis. An extract of so much of Mr. Lear's communication as relates to this circumstance, is now transmitted to the Senate, the whole of the papers having been laid before them on a former occasion. How it has happened that the declaration of June 5, has never before come to our knowledge, cannot with certainty be said; but whether there has been a miscarriage of it, or a failure of the ordinary attention and correctness of that officer in making his communications, I have thought it due to the Senate, as well as to myself, to explain to them the circumstances which have withheld from their knowledge, as they did from my own, a modification, which, had it been placed in the public treaty, would have been relieved from the objections which candor and good faith cannot but feel in its present form.

As the restoration of the family has probably been effected, a just regard to the character of the United States will require that I make to the Bashaw a candid statement of facts; and that the sacrifices of his right to the peace and friendship of the two countries, by yielding finally to the demand of Mr. Davis, be met by proper acknowledgments and reparation on our part.

TH: JEFFERSON.

November 11th, 1807.

The message was read.

Ordered, That it lie for consideration.

THURSDAY, NOVEMBER 12, 1807.

The Senate resumed the nominations of James Prince, and others, contained in the President's message of November 9.

Resolved, That the Senate do advise and consent to the appointments of J. Prince, Jona. Bull, J. Vernor, O. W. Ogden, J. Snee, L. Ford, John S. West, R. Cochran, Geo. M. Bibb, J. Buell, Thos. B. Robertson, Thos. H. Williams, L. Henry, and J. Coburn, agreeably to their nominations respectively.

Ordered, That the nominations not agreed to be referred to Mr. Milledge, Mr. Tiffin, and Mr. Anderson, to inquire and report thereon.

The Senate resumed the consideration of the confidential message, received yesterday from the President of the United States.

On motion by Mr. Bradley,

Ordered, That it be referred to Mr. Bradley, Mr. Adams, Mr. Anderson, Mr. Sumpter, and Mr. White, to consider and report thereon.

WEDNESDAY, NOVEMBER 18, 1807.

Mr. Milledge, from the committee to whom were referred, on the 12th instant, the nominations contained in the message of the President of the United States, of the 9th instant, made report. Whereupon,

Resolved, That the Senate do advise and consent to the appointments, agreeably to the nominations respectively; except to those of Jonathan Palmer, and R. J. Meigs, Jun., to whose appointments they do not advise and consent.

Ordered, That the Secretary lay this resolution before the President of the United States.

MONDAY, NOVEMBER 23, 1807.

The following written messages were received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

Some circumstance, which cannot now be ascertained, induced a belief that an act had passed at the last session of Congress, for establishing a Surveyor and Inspector of Revenue, for the port of Stonington, in Connecticut, and commissions were signed, appointing Jonathan Palmer, of Connecticut, to those offices. The error was discovered at the Treasury, and the commissions were retained. But not having been notified to me, I renewed the nomination in my message of the 9th insant, to the Senate. In order to correct the error, I have cancelled the temporary commissions, and now revoke the nomination which I made of the said Jonathan Palmer, to the Senate.

TH: JEFFERSON.

November 23d, 1807.

The message was read.

Ordered, That it lie for consideration.

WEDNESDAY, DECEMBER 2, 1807.

The following written messages were received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate Daniel Symmes, of Ohio, to be Register of the Land Office at Cincinnati.

Samuel Gwathmey, of Indiana, to be Register of the Land Office at Jeffersonville, in Indiana.

Thomas G. Gibson, of Ohio, to be Register of the Land Office at Canton, in Ohio.

Edmund H. Taylor, heretofore (and perhaps yet) of Kentucky, to be Receiver of Public Moneys at Jeffersonville.

John Sloane, of Ohio, to be Receiver of Public Moneys at Canton, in Ohio.

David Zeigler, of Ohio, to be Surveyor of the port of Cincinnati.

George Joy, of Massachusetts, (now in London.) to be Consul for the United States at Rotterdam.

John Martin Baker, late Consul at Majorca, to be Consul at Tarragona, in Spain.

TH: JEFFERSON.

December 2d, 1807.

To the Senate of the United States:

Several vacancies having happened in the Army of the United States, during the last recess of the Senate, I granted commissions, as stated in the list hereto annexed, marked A, accompanied by a letter from the Secretary at War, which commissions will expire at the end of the present session of the Senate. I now, therefore, nominate the same persons for the same appointments.

I also nominate the persons whose names are stated in the list, marked B, signed by the Secretary at War, for the appointments therein respectively proposed for them.

TH: JEFFERSON.

December 2d, 1807.

A.

WAR DEPARTMENT, *November 23d*, 1807.

SIR: I have the honor herewith to transmit you a list of promotions and appointments in the Army of the United States, made during the last recess of Congress.

Accept, Sir, assurancess of my high respect and consideration.

H. DEARBORN.

PRESIDENT of the United States.

List of promotions and appointments in the Army of the United States, made during the last recess of Congress.

Regiment of Artillerists.

First Lieut. Lewis Howard, to be promoted to the rank of Captain, vice William Yates, resigned November 1st, 1806.

First Lieut. William Cocks, to be promoted to the rank of Captain, vice George Waterhouse, deceased April 11th, 1807.

Second Lieut. Porter Hanks, to be promoted to the rank of First Lieut. vice Stephen Worrell, promoted Dec. 31st, 1806.

Second Lieut. Thomas Murray, to be promoted to the rank of First Lieut. vice William Cocks, promoted April 11th, 1807.

First Regiment of Infantry.

First Lieut. Eli B. Clemson, to be promoted to the rank of Captain, vice Meriwether Lewis, resigned March 4th, 1807.

Second Lieut. William Whistler, to be promoted to the rank of First Lieut. vice Eli B. Clemson, promoted March 4th, 1807.

Ensign John F. Bowie, to be promoted to the rank of Second Lieut. vice William Whistler, promoted March 4th, 1807.

Second Regiment of Infantry.

First Lieut. Edmund P. Gaines, to be promoted to the rank of Captain, vice John Hanes, resigned February 28th, 1807.

Second Lieut. Gilbert C. Russell, to be promoted to the rank of First Lieut. vice Edmund P. Gaines, promoted Feb. 28th, 1807.

Ensign John Pemberton, to be promoted to the rank of Second Lieut. vice Gilbert C. Russell, promoted Feb. 28th, 1807.

Charles Slocum, to be appointed Surgeon's Mate, to take rank from 25th March, 1807.

Samuel D. Forsyth, to be appointed Surgeon's Mate, to take rank from 21st April, 1807.

Alfred Thruston, to be appointed Surgeon's Mate, to take rank from the 18th May, 1807.

Henry Skinner, to be appointed Surgeon's Mate, to take rank from the 30th July, 1807.

Mann Page Lomax, of Virginia, to be appointed Second Lieut. of the regiment of Artillerists; Alexander Brownlow, of Virginia, Jesse White, and John Wetzel, of Tennessee, Michael Immell, of Pennsylvania, and Seth Thompson, of Ohio, to be appointed Ensigns of Infantry, to take rank from the 10th June, 1807.

B.

WAR DEPARTMENT, *November 24th*, 1807.

SIR: I have the honor of proposing for your approbation, the following promotions and appointments in the Army of the United States, viz.

Regiment of Artillerists.

Captain Amos Stoddard, to be promoted to the rank of Major, vice James Bruff, resigned June 30th, 1807.

First Lieut. Moses Swett, to be promoted to the rank of Captain, vice Amos Stoddard, promoted June 30th, 1807.

First Lieut. George Peter, to be promoted to the rank of Captain, vice Michael Kaltizen, deceased November 3d, 1807.

Second Lieut. Jonathan Eastman, to be promoted to the rank of First Lieut. vice Moses Swett, promoted June 30th, 1807.

Second Lieut. William Gates, to be promoted to the rank of First Lieut. vice George Peter, promoted November 3d, 1807.

First Regiment of Infantry.

Captain Russell Bissell, to be promoted to the rank of Major in the Second Regiment, vice Richard Sparks, promoted to the rank of Lieut. Colonel.

First Lieut. James Rhea, to be promoted to the rank of Captain, vice Benjamin Lockwood, deceased July 29th, 1807.

First Lieut. William Swan, to be promoted to the rank of Captain, vice Russell Bissell, promoted.

Second Lieut. John C. Symmes, to be promoted to the rank of First Lieut. vice James Rhea, promoted July 29th, 1807.

Second Lieut. Joseph Dorr, to be promoted to the rank of First Lieut. vice William Swan, promoted

Ensign Thomas Hamilton, to be promoted to the rank of Second Lieut. vice William Richardson, resigned June 1st, 1807.

Ensign James R. Peyton, to be promoted to the rank of Second Lieut. vice John C. Symmes, promoted July 29th, 1807.

Ensign Jacob W. Albright, to be promoted to the rank of Second Lieut. vice Joseph Dorr, promoted.

Second Regiment of Infantry.

Major Richard Sparks, to be promoted to the rank of Lieut. Colonel, to fill the vacancy made by the promotion of Lieut. Col. Thomas H. Cushing.

Justus Post, Satterlee Clark, Samuel Champlin, and John Anderson, Cadets at the Military Academy at West Point, to be appointed Second Lieutenants in the regiment of Artillerists.

Robert G. Seely, and William Grayson, of Pennsylvania, Linai Helm, William Lithgow, and John Stanard, of Virginia, Samuel Perkins, of the District of Columbia, and Samuel Noah, a Cadet at the Military Academy, to be appointed Ensigns of Infantry.

William H Emery, of Massachusetts, Sylvester Day, of Vermont, and Thomas C. Gantt, of Maryland to be appointed Surgeon's Mate.

Accept, Sir, assurances of my high respect and consideration.

H. DEARBORN.

PRESIDENT of the United States.

The messages were read.

Ordered, That they lie for consideration.

FRIDAY, DECEMBER 4, 1807.

The nominations contained in the messages of December 2d, were considered, and in part advised and consented to.

On motion,

Ordered, That the remainder be referred to Mr. Bradley, Mr. Smith, of Maryland, and Mr. Anderson, to consider and report thereon.

MONDAY, DECEMBER 7, 1807.

Mr. Bradley, from the committee to whom were referred the nominations contained in the messages of the President of the United States, of 2d December, reported, that the committee had made progress in their inquiry, and asked leave to sit again.

TUESDAY, DECEMBER 8, 1807.

The following confidential message was received from the President of the United States, by Mr. Coles, his Secretary:

[CONFIDENTIAL.]

To the Senate and House of Representatives of the United States:

Having recently received from our late Minister Plenipotentiary at the Court of London, a duplicate of despatches, the original of which has been sent by the Revenge schooner, not yet arrived; I hasten to lay them before both

Houses of Congress. They contain the whole of what has passed between the two governments on the subject of the outrage committed by the British ship Leopard, on the frigate Chesapeake. Congress will learn, from these papers, the present state of the discussion on that transaction, and that it is to be transferred to this place by the mission of a special Minister.

While this information will have its proper effect on their deliberations and proceedings, respecting the relations between the two countries, they will be sensible that the negotiation being still depending, it is proper for me to request that the communications may be considered as confidential.

TH: JEFFERSON.

December 7th, 1807.

The message and documents referred to were read.

Ordered, That they lie for consideration.

WEDNESDAY, December 9, 1807.

Mr. Bradley, from the committee to whom were referred the nominations contained in the messages of the President of the United States, of December 2d, made report. Whereupon,

Resolved, That the Senate do advise and consent to the appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

MONDAY, December 21, 1807.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United Satets:

I nominate John Shaw, to be a Captain in the Navy.

Philemon C. Wederstrandt, to be a Master Commandant in the Navy.

Winlock Clarke, to be a Lieutenant in the Navy.

Lewis Heerman, Michael Graham, Gersham R. Jacques, Daniel M'Cormick, Joseph G. T. Hunt, Thomas Ewell, Jonathan Cowdery, to be Surgeons in the Navy.

Nicholas Harwood, Samuel D. Heap, John Harrison, John Butler, George Leonard, Joseph J. Scholfield, Thomas G. McAllister, George Colgate, Robert S. Kearney, Robert L. Thorn, Robert French, William Steel, John Brown, Richard Edgar, to be Surgeon's Mates in the Navy.

Robert Rankin, to be a Captain in the Marine corps.

Lemuel B. Clarke, of Maryland, Peter Millar, of Pennsylvania, John Bridgelow, of Massachusetts, to be Surgeon's Mates in the Army of the United States.

TH: JEFFERSON.

December 21st, 1807.

The message was read.

Ordered, That it lie for consideration.

THURSDAY, December 24, 1807.

On motion by Mr. Tiffin,

Resolved, That the Secretary of the Senate furnish, for the Legislature of the State of Ohio, a transcript of the Executive Journals, so far as relates to

the appointment of Return J. Meigs, Jun. to the offices of Colonel Commandant of Louisiana, Judge in the Territory of Louisiana, and Judge of the Territory of Michigan, with the dates of these several appointments, and the time of the termination of the latter office.

The Senate proceeded to consider the nominations contained in the message of the President of the United States, of December 21. Whereupon,

Resolved, That they advise and consent to the appointments of John Shaw, Philemon C. Wederstrandt, and Winlock Clarke, agreeably to their nominations respectively.

On motion,

Ordered, That the remaining nominations be referred to Mr. Reed, Mr. Robinson, and Mr Gregg, to inquire and report thereon to the Senate.

MONDAY, December 28, 1807.

Mr. Reed, from the committee to whom were referred certain nominations, contained in the message of the President of the United States, of December 21, reported in part. Whereupon,

Resolved, That the Senate advise and consent to the appointment of Richard Edgar, to be a Surgeon's Mate, agreeably to the nomination.

MONDAY, January 4, 1808.

Mr. Reed, from the committee to whom were referred the nominations contained in the message of the President of the United States, of the 21st of December, which were not agreed to, reported in part. Whereupon,

Resolved, That the Senate advise and consent to the appointments of Lemuel B. Clarke, and Peter Millar, agreeably to the nominations respectively.

FRIDAY, January 15, 1808.

The following written messages were received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

The posts of Detroit and Mackinac having been originally intended, by the governments which established and held them, as mere depôts for commerce with the Indians, very small cessions of land around them were obtained or asked from the native proprietors, and these posts depended for protection on the strength of their garrisons. The principles of our government leading us to the employment of such moderate garrisons, in time of peace, as may merely take care of the post, and to a reliance on the neighboring militia for its support in the first moments of war, I have thought it would be important to obtain from the Indians such a cession in the neighborhood of these posts, as might maintain a militia proportioned to this object; and I have particularly contemplated, with this view, the acquisition of the eastern moiety of the peninsula between lakes Michigan and Huron, comprehending the waters of the latter, and of Detroit river, so soon as it could be effected with the perfect good will of the natives. Governor Hull was therefore appointed a Commissioner to treat with them on this subject; but was

instructed to confine his propositions, for the present, to so much of the tract, before described, as lay south of Saguina bay, and round to the Connecticut Reserve, so as to consolidate the new with the present settled country. The result has been an acquisition of so much only, of what would have been acceptable, as extends from the neighborhood of Saguina bay to the Miami of the Lakes, with a prospect of soon obtaining a breadth of two miles for a communication from the Miami to the Connecticut Reserve. The treaty, for this purpose, entered into with the Ottoways, Chippeways, Wyandots, and Pottawattamies, at Detroit, on the 17th of November last, is now transmitted to the Senate; and I ask their advice and consent, as to its ratification.

I communicate herewith, such papers as bear any material relation to the subject.

TH: JEFFERSON.

January 15*th*, 1808.

To the Senate of the United States:

Although it is deemed very desirable that the United States should obtain from the native proprietors, the whole left bank of the Mississippi, to a certain breadth, yet to obliterate from the Indian mind an impression deeply made in it, that we are constantly forming designs on their lands, I have thought it best, where urged by no peculiar necessity, to leave to themselves, and to the pressure of their own convenience only, to come forward with offers of sale to the United States.

The Choctaws being indebted to certain mercantile characters beyond what could be discharged by the ordinary proceeds of their huntings, and pressed for payment by those creditors, proposed at length to the United States, to cede lands to the amount of their debts, and designated them in two different portions of their country. These designations not at all suiting us, their proposals were declined for that reason, and with an intimation that if their own convenience should ever dispose them to cede their lands on the Mississippi, we should be willing to purchase. Still urged by their creditors, as well as by their own desire to be liberated from debt, they at length proposed to make a cession, which should be to our convenience. James Robertson, of Tennessee, and Silas Dinsmore, were thereupon appointed Commissioners to treat with them on that subject, with instructions to purchase only on the Mississippi. On meeting their chiefs, however, it was found that such was the attachment of the nation to their lands on the Mississippi, that their chiefs could not undertake to cede them; but they offered all their lands south of a line to be run from their and our boundary, at the Omochita, eastwardly to their boundary with the Creeks, on the ridge between the Tombigbee and Alabama, which would unite our possessions there from Natchez to Tombigbee. A treaty to this effect was accordingly signed at Pooshapekanuk, on the 16th of November, 1805. But this being against express instructions, and not according with the object then in view, I was disinclined to its ratification; and, therefore, did not, at the last session of Congress, lay it before the Senate for their advice, but have suffered it to lie unacted on.

Progressive difficulties, however, in our foreign relations, have brought into view considerations other than those which then prevailed. It is now, perhaps, become as interesting to obtain footing for a strong settlement of militia along our southern frontier, eastward of the Mississippi, as on the west of that river, and more so than higher up the river itself. The consoli-

dation of the Mississippi Territory, and the establishing a barrier of separation between the Indians and our southern neighbors, are also important objects. The cession is supposed to contain about five millions of acres, of which the greater part is said to be fit for cultivation, and no inconsiderable proportion of the first quality, on the various waters it includes, and the Choctaws and their creditors are still anxious for the sale.

I therefore now transmit the treaty for the consideration of the Senate, and I ask their advice and consent as to its ratification. I communicate, at the same time, such papers as bear any material relation to the subject, together with a map, on which is sketched the northern limit of the cession, rather to give a general idea, than with any pretension to exactness, which our present knowledge of the country would not warrant.

TH: JEFFERSON.

January 15*th*, 1808.

The treaties, and papers accompanying them, were read.

Ordered, That they lie for consideration.

Mr. Reed, from the committee appointed on the 24th of December, made a further report. Whereupon,

Resolved, That the Senate do advise and consent to the appointment of Robert Rankin, and also to the appointments of the Surgeons and Surgeon's Mates, contained in the nominations of the message of the 21st of December.

Ordered, That the Secretary make a return to the President of the United States, on the nominations in the message of the 21st December.

THURSDAY, January 21, 1808.

The treaty made with the Ottawa, and other nations, was read the second time, together with accompanying documents.

The treaty made with the Choctaws was read the second time, together with the papers accompanying it.

FRIDAY, January 22, 1808.

The Senate resumed the second reading of the treaty made with the Choctaw nation of Indians.

On motion,

Ordered, That this treaty be referred to Mr. Mitchill, Mr. Adams, and Mr. Anderson, to consider and report thereon.

The Senate resumed the second reading of the treaty made with the Ottawas, and other nations of Indians.

Ordered, That this treaty be referred to the committee to whom was referred, this day, the treaty made with the Choctaw nation.

TUESDAY, January 26, 1808.

Mr. Mitchill, from the committee to whom was referred, on the 22d instant, the treaty made at Detroit, with the Ottowa, and other nations of Indians, reported the same, and the following motion for ratification:

"*Resolved*, (two-thirds of the Senators present concurring therein,) That the Senate do advise and consent to the ratification of the treaty of limits

and cession, concluded at Detroit, on the 17th day of November, in the year one thousand eight hundred and seven, between the United States and the Ottawa, Chippeway, Wyandot, and Potawattamie nations of Indians."

Ordered, That this motion lie for consideration.

Mr. Mitchill also reported, from the same committee, the treaty made with the Choctaw nation, and the following motion for its ratification:

"*Resolved*, (two-thirds of the Senators present concurring therein,) That the Senate do advise and consent to the ratification of the treaty of limits and cession, concluded at Mount Dexter, on the 16th day of November, one thousand eight hundred and five, between the Choctaw nation of Indians and the United States."

Ordered, That this motion lie for consideration.

WEDNESDAY, JANUARY 27, 1808.

The treaty made with the Choctaw nation of Indians, was read the third time.

On the question, Will the Senate advise and consent to the ratification? It was determined unanimously in the affirmative: Yeas, 27.

Those who voted, are—Messrs. Adams, Anderson. Bayard, Bradley, Condit, Crawford, Franklin, Gaillard, Gilman, Goodrich, Hillhouse, Howland, Kitchel, Mathewson, Milledge, Mitchill, Moore, Parker, Pope, Reed, Robinson, Smith, of Maryland, Smith, of New York, Smith, of Tennessee, Sumpter, Tiffin, and White.

So it was

"*Resolved*, (two-thirds of the Senators present concurring therein,) That the Senate do advise and consent to the ratification of the treaty of limits and cession, concluded at Mount Dexter, on the 16th day of November, one thousand eight hundred and five, between the Choctaw nation of Indians and the United States."

Ordered, That the Secretary lay this resolution before the President of the United States.

The treaty made with the Ottawa, and other nations, was read the third time.

On the question, Will the Senate advise and consent to the ratification? It was determined unanimously in the affirmative: Yeas, 27.

Those who voted, are—Messrs. Adams, Anderson, Bradley, Condit, Crawford, Franklin, Gaillard, Gilman, Goodrich, Gregg, Hillhouse, Howland, Kitchel, Mathewson, Milledge, Mitchill, Moore, Parker, Pope, Reed, Robinson, Smith, of Maryland, Smith, of New York, Smith, of Tennessee, Sumpter, Tiffin, and White.

So it was

"*Resolved*, (two-thirds of the Senators present concurring therein,) That the Senate do advise and consent to the ratification of the treaty of limits and cession, concluded at Detroit, on the 17th day of November, in the year one thousand eight hundred and seven, between the United States and the Ottawa, Chippeway, Wyandot, and Potawattamie nations of Indians."

Ordered, That the Secretary lay this resolution before the President of the United States.

THURSDAY, JANUARY 28, 1808.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate Washington Boyd, of the Territory of Columbia, to be Marshal of the said Territory.

Mathurin Guerin, of the Territory of Orleans, to be a member of the Legislative Council of Orleans, being one of two persons nominated to me by the House of Representatives of that Territory, to supply the place of James Mathers, Sen., resigned.

Shadrach Bond, Jun., of Indiana Territory, to be a member of the Legislative Council of the said Territory, being one of two persons nominated to me by the House of Representatives of the said Territory, to supply the place of Shadrach Bond, resigned.

George Fisher, of the Territory of Indiana, to be a member of the Legislative Council of the said Territory, being one of two persons nominated to me by the House of Representatives of the said Territory, to supply the place of Pierre Menard, resigned.

TH: JEFFERSON.

January 28th, 1808.

The message was read.

Ordered, That it lie for consideration.

FRIDAY, JANUARY 29, 1808.

The Senate proceeded to consider the nomination of Washington Boyd, contained in the message received yesterday from the President of the United States. Whereupon,

Resolved, That the Senate do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

MONDAY, FEBRUARY 1, 1808.

The Senate resumed the consideration of the message of 28th of January, nominating Mathurin Guerin, and others, to office. Whereupon,

Resolved, That the Senate do advise and consent to the appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

MONDAY, FEBRUARY 15, 1808.

The President laid before the Senate the talk of the Cherokee nation of Indians, respecting the sale of a tract of land to Colonel Earl, and on other subjects of grievance; which was read.

Ordered, That it be referred to Mr. Anderson, Mr. Adams, and Mr. Tiffin, to consider and report thereon.

FRIDAY, FEBRUARY 19, 1808.

The following written messages were received from the President of the United States, by Mr. Graham, Chief Clerk in the Department of State;

To the Senate of the United States:

I nominate William Hull, now Governor of the Territory of Michigan, whose commission will expire on the 1st day of March ensuing, to be re-appointed Governor of that Territory.

Reuben Atwater, of Vermont, to be Secretary of the Territory of Michigan; the same Reuben Atwater to be Collector of the district of Detroit, and Inspector of Revenue for the port of Detroit.

Robert Williams, now Governor of the Mississippi Territory, whose commission will expire on the 1st day of March ensuing, to be re-appointed Governor of that Territory.

Jonathan Laurence, of South Carolina, to be Collector of the district of Beaufort, in South Carolina, and Inspector of Revenue for the port of Beaufort.

Venables Bond, of Georgia, to be Collector of the district, and Inspector of the Revenue for the port of Hardwicke, in Georgia.

William Gazzam, of Pennsylvania, to be Surveyor of the port of Pittsburg.

William Pinkney, of Maryland, to be Minister Plenipotentiary of the United States at the Court of London.

Thomas H. Storm, of New York, to be Commercial Agent of the United States at Genoa.

Moreau de Lisle, of Orleans, to be one of the Judges of the Territory of Orleans, on the resignation of William Sprigg.

Philip Grymes, of Virginia, to be Attorney for the United States in the Territory of Orleans.

TH: JEFFERSON.

February 19*th*, 1808.

To the Senate of the United States:

I nominate the persons whose names are stated in the annexed list, signed by the Secretary at War, for the promotions and appointments therein respectively proposed for them.

TH: JEFFERSON.

February 19*th*, 1808.

WAR DEPARTMENT, *January* 26*th*, 1808.

SIR: I have the honor of proposing for your approbation, the following promotions and appointments, in the corps of Engineers, in the service of the United States:

Lieutenant Colonel Jonathan Williams, to be promoted to the rank of Colonel.

Major Jared Mansfield, to be promoted to the rank of Lieutenant Colonel, vice Colonel Jonathan Williams, promoted.

Captain Alexander Macomb, to be promoted to the rank of Major, vice William A. Barron, resigned.

Captain Joseph G. Swift, to be promoted to the rank of Major, vice Jared Mansfield, promoted.

First Lieutenant George Bomford, to be promoted to the rank of Captain, vice Alexander Macomb, promoted.

First Lieutenant William McRee, to be promoted to the rank of Captain, vice Joseph G. Swift, promoted.

Second Lieutenant Charles Gratiot, to be promoted to the rank of Captain.

Second Lieutenant Eleazar D. Wood, to be promoted to the rank of First Lieutenant, vice George Bomford, promoted.

Second Lieutenant William Partridge, to be promoted to the rank of First Lieutenant, vice William McRee, promoted.

Second Lieutenant Prentice Willard, to be promoted to the rank of First Lieutenant.

Joseph G. Totten, to be appointed Second Lieutenant, vice Charles Gratiot, promoted.

Cadet Samuel Babcock, to be appointed Second Lieutenant, vice Eleazar D. Wood, promoted.

Cadet Daniel A. A. Buck, to be appointed Second Lieutenant, vice William Partridge, promoted.

Cadet Sylvanus Thayer, to be appointed Second Lieutenant, vice Prentice Willard, promoted.

Accept, Sir, assurances of my high respect and consideration.

H. DEARBORN.

The PRESIDENT of the United States.

The messages were read.

Ordered, That they severally lie for consideration.

TUESDAY, FEBRUARY 23, 1808.

The Senate resumed the consideration of the message nominating William Hull, and others. Whereupon,

Ordered, That the nomination of William Hull and Reuben Atwater, be referred to Mr. Maclay, Mr. Tiffin, and Mr. Giles; and that the nominations of Robert Williams, J. Laurence, M. de Lisle, and P. Grymes, be referred to Mr. Smith, of Maryland, Mr. Franklin, and Mr. Milledge, to inquire and report thereon.

Ordered, That the nomination of William Pinkney be postponed.

Resolved, That the Senate advise and consent to the appointments of Venables Bond, William Gazzam, and Thomas H. Storm, agreeably to their nominations respectively.

The Senate proceeded to consider the message nominating Jonathan Williams, and others, to military promotion and appointment. Whereupon,

Resolved, That the Senate advise and consent to the said appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

THURSDAY, FEBRUARY 25, 1808.

The following motion was submitted by Mr. Bradley, and ordered to lie for consideration:

Resolved, That the President of the United States be requested to cause to be laid before the Senate, (as confidential, or otherwise, as he may deem expedient,) a copy of the unratified treaty, concluded and signed by James Monroe and William Pinkney, our late Ministers at London, referred to in his message of the 27th of October last, together with such papers and proceedings relative thereto, as, in his opinion, the public interest will admit,

and which may enable the Senate to decide correctly on the nomination of William Pinkney to be Minister Plenipotentiary at the Court of London.

FRIDAY, FEBRUARY 26, 1808.

On motion by Mr. Maclay,

Resolved, That the President of the United States be requested to cause to be laid before the Senate, the memorials and petitions from the district of Detroit, and such other information as may be in his possession, (and which he may deem proper,) in relation to the conduct of William Hull, Governor of the Territory of Michigan, and Stanley Griswold, Esquire, while acting as Secretary of that Territory.

Ordered, That the Secretary lay this resolution before the President of the United States.

Mr. Smith, of Maryland, from the committee to whom were referred the nominations of Robert Williams, and others, reported in part. Whereupon,

Resolved, That the Senate do advise and consent to the appointment of Jonathan Laurence, agreeably to the nomination.

On motion, the motion made yesterday by Mr. Bradley, was withdrawn.

On motion, the committee to whom were referred, on the 15th instant, the talk of the Cherokee nation of Indians, was discharged from the further consideration thereof.

The Senate resumed the consideration of the nomination of William Pinkney, to be Minister Plenipotentiary at the Court of London.

And, on the question, to advise and consent to this appointment, it was determined in the affirmative: Yeas, 30.

Those who voted, were—Messrs. Adams, Anderson, Bayard, Bradley, Condit, Crawford, Franklin, Gaillard, Giles, Goodrich, Gregg, Hillhouse, Howland, Kitchel, Mathewson, Milledge, Mitchill, Parker, Pickering, Pope, Reed, Robinson, Smith, of Maryland, Smith, of New York, Smith, of Tennessee, Sumpter, Thruston, Tiffin, Turner, and White.

TUESDAY, MARCH 1, 1808.

On motion by Mr. Adams,

Ordered, That the Secretary make return to the President of the United States, of the advice and consent of the Senate to the appointment of William Pinkney, to be Minister Plenipotentiary to the Court of London.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

In compliance with the resolution of the Senate, of February 26th, I now lay before them such memorials and petitions for the district of Detroit, and such other information as is in my possession, in relation to the conduct of William Hull, Governor of the Territory of Michigan, and Stanley Griswold, Esq., while acting as Secretary of that Territory.

TH: JEFFERSON.

March 1st, 1808.

The message and papers were read.

Ordered, That they be referred to the committee to whom were referred, on the 23d of February, the nominations of William Hull, and others.

Mr. Smith, of Maryland, from the committee to whom were referred the nominations of Robert Williams, and others, reported progress, and asked further time to perfect their report.

THURSDAY, MARCH 10, 1808.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

A purchase having lately been made from the Cherokee Indians, of a tract of land six miles square, at the mouth of the Chickamogga, on the Tennessee, I now lay the treaty and papers relating to it before the Senate, with an explanation of the views which have led to it.

It was represented that there was within that tract a great abundance of iron ore, of excellent quality, with a stream and fall of water suitable for iron-works, that the Cherokees were anxious to have works established there, in the hope of having a better supply of those implements of household and agriculture, of which they have learned the use and necessity; but on the condition that they should be under the authority and control of the United States.

As such an establishment would occasion a considerable and certain demand for corn, and other provisions and necessaries, it seemed probable that it would immediately draw around it a close settlement of the Cherokees, would encourage them to enter on a regular life of agriculture, familiarize them with the practice and value of the arts, attach them to property, lead them, of necessity, and without delay, to the establishment of laws and government, and thus make a great and important advance towards assimilating their condition to ours. At the same time, it offers considerable accommodation to the government, by enabling it to obtain, more conveniently than it now can, the necessary supplies of cast and wrought iron, for all the Indians south of the Tennessee; and for those, also, to whom St. Louis is a convenient deposite; and will benefit such of our own citizens likewise as shall be within its reach. Under these views the purchase has been made, with the consent and desire of the great body of the nation, although not without some dissenting members, as must be the case with all collections of men. But it is represented that the dissentients are few, and under the influence of one or two interested individuals. It is by no means proposed that these works should be conducted on account of the United States. It is understood that there are private individuals ready to erect them, subject to such reasonable rent as may secure a reimbursement to the United States, and to such other conditions as shall secure to the Indians their rights and tranquillity.

The instrument is now submitted to the Senate, with a request of their advice and consent as to its ratification.

TH: JEFFERSON.

March 10th, 1808.

The message and papers were read.

Ordered, That they lie for consideration.

Mr. Smith, of Maryland, from the committee to whom were referred, on the 23d February, the nominations of Robert Williams, and others, made report. Whereupon,

Resolved. That the Senate do advise and consent to the appointments of Robert Williams and M. de Lisle.

Ordered, That the nomination of P. Grymes be postponed.

Mr. Maclay, from the committee to whom was referred, on the 23d of February, the nominations of William Hull, and others, made report; which was ordered to lie for consideration.

FRIDAY, MARCH 11, 1808.

The treaty made with the Cherokee nation was read the second time.

Ordered, That it be referred to Mr. Anderson, Mr. Adams, and Mr. Tiffin, to consider and report thereon.

MONDAY, MARCH 14, 1808.

The Senate resumed the consideration of the nomination of P. Grymes.

Ordered, That it be further postponed.

On motion,

Ordered, That the nomination of R. Atwater be further postponed.

On motion by Mr. Smith, of Maryland,

Ordered, That the Secretary notify the President of the United States, that the Senate did, on the 10th instant, advise and consent to the appointments of Robert Williams and Moreau de Lisle, and on the 26th ult., of Jonathan Laurence, agreeably to the nominations respectively.

Mr. Anderson, from the committee to whom was referred the treaty made with the Cherokee nation of Indians, reported the following resolution for its ratification, which was read for consideration:

"*Resolved*, (two-thirds of the Senators present concurring therein,) That the Senate do advise and consent to the ratification of the treaty between the United States and the Cherokees, at Highwassee, the 2d day of December, 1807."

TUESDAY, MARCH 15, 1808.

The Senate resumed the consideration of the motion for ratifying the treaty concluded on the 2d day of December, 1807, between the United States and the Cherokee nation of Indians;" and,

On motion by Mr. Anderson,

Ordered, That the further consideration of this treaty be postponed to the 1st Monday in December next.

THURSDAY, MARCH 17, 1808.

The Senate resumed the consideration of the nomination of P. Grymes, postponed on the 14th instant; and

Resolved, That they advise and consent to the appointment, agreeably to the nomination.

FRIDAY, MARCH 18, 1808.

The Senate resumed the consideration of the nomination of Reuben Atwater; and

Resolved, That they advise and consent to the appointment, agreeably to the nomination.

On motion,

Ordered, That the Secretary make return on the nominations of P. Grymes and Reuben Atwater, to the President of the United States.

The Senate resumed the consideration of the nomination of William Hull; and sundry documents referring to the conduct of Governor Hull and Secretary Griswold, were read.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate George Hodges, of Massachusetts, to be Surveyor for the port of Salem.

Robert Wickliffe, of Kentucky, to be Attorney for the United States, in the district of Kentucky.

Hugh Lawson White, of Tennessee, to be Attorney for the United States, in the district of East Tennessee.

Return Jonathan Meigs, now Agent for the United States with the Cherokees, to be a Commissioner to attend a negotiation and treaty proposed between the State of Tennessee and the Cherokees, for the purchase, on the part of that State, of a certain tract of country authorized by an act of Congress.

TH: JEFFERSON.

March 18th, 1808.

The message was read.

Ordered, That it lie for consideration.

MONDAY, March 21, 1808.

The Senate resumed the nomination of William Hull; and, after debate,

Ordered, That the further consideration thereof be postponed until tomorrow.

The Senate resumed the consideration of the message of the President of the United States, of March 18. Whereupon,

Resolved, That they advise and consent to the said appointments of G. Hodges, R. Wickliffe, H. L. White, and R. J. Meigs, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

TUESDAY, March 22, 1808.

The following motion was submitted by Mr. Maclay:

Resolved, That the Secretary of the Treasury be requested to cause to be laid before the Senate, such documents and papers, or other information, as are in his possession, or have come to his knowledge, relative to any attempts which have been made to give circulation and credit to the Detroit bank notes, since the law of the Territory for establishing the said bank was rejected by Congress; and whether he has any knowledge of any attempt made by Governor Hull, or any other person, to pay off the militia of that Territory, since they have been called into actual service by the President of the United States, in that paper.

The motion was read.

Ordered, That it lie for consideration.

The following motion was also submitted by Mr. Maclay:

Resolved, That the Secretary of War be requested to cause to be laid before the Senate, such documents and papers, or other information, as are in his possession, or have come to his knowledge, relative to the troops in the service of the United States, in the Territory of Michigan, being paid in bills issued by the bank of Detroit, after Congress had rejected the law of the Territory for establishing the said bank; and, also, such information as may be in his possession, relating to the breaking of a company of the militia of the Territory of Michigan, upon the parade, by the orders of Governor Hull, without the intervention of a court martial.

The motion was read.

Ordered, That it lie for consideration.

The following confidential message was received from the President of the United States, by Mr. Coles, his Secretary:

[CONFIDENTIAL.]

To the Senate and House of Representatives of the United States:

In a separate message, of this date, I have communicated to Congress, so much as may be made public, of papers which give a full view of the present state of our relations with the two contending powers, France and England. Every one must be sensible that in the details of instructions for negotiating a treaty, and in the correspondence and conferences respecting it, matters will occur, which interest, sometimes, and sometimes respect, or other proper motives, forbid to be made public. To reconcile my duty in this particular, with my desire of letting Congress know every thing which can give them a full understanding of the subjects on which they are to act, I have suppressed in the documents of the other message the parts which ought not to be made public, and have given them in the supplementary and confidential papers herewith enclosed, with such references as that they may be read in their original places, as if still standing in them; and when these confidential papers shall have been read to the satisfaction of the House, I request their return, and that their contents may not be made public.

TH: JEFFERSON.

March 22d, 1808.

The message and documents were read; and the documents were retained by the President of the Senate, to be returned to the President of the United States.

WEDNESDAY, March 23, 1808.

Sundry confidential papers were read; as referred to, March 22d.

THURSDAY, March 24, 1808.

Sundry confidential papers were read.

FRIDAY, March 25, 1808.

The Senate proceeded to consider the two motions submitted on the 22d, which being amended, were agreed to, as follows:

Resolved, That the President of the United States be requested to cause the Secretary of the Treasury to lay before the Senate, such documents and

papers, or other information, as are in his possession, or have come to his knowledge, relative to any attempts which have been made to give circulation and credit to the Detroit bank notes, since the law of the Territory for establishing the said bank was rejected by Congress; and whether he has any knowledge of any attempt made by Governor Hull, or any other person, to pay off the militia of that Territory, since they have been called into actual service by the President of the United States, in that paper. And, if payment has been made in such paper, whether such payment was made by order or under the direction of Governor Hull. And whether the receipt of such paper was or was not optional with the militia to receive the same or specie.

Resolved, That the President of the United States be requested to direct the Secretary at War to lay before the Senate, such documents and papers, or other information, as are in his possession, or have come to his knowledge, relative to the troops in the service of the United States, in the Territory of Michigan, being paid in bills issued by the bank of Detroit, after Congress had rejected the law of the Territory establishing the said bank; and, also, such information as may be in his possession relating to the breaking of a company of the militia of the Territory of Michigan, upon the parade, by the orders of Governor Hull, without the intervention of a court martial.

Ordered, That the Secretary lay the two preceding resolutions before the President of the United States.

TUESDAY, March 29, 1808.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

When the convention of the 7th of January, 1806, was entered into with the Cherokees, for the purchase of certain lands, it was believed by both parties that the eastern limit, when run in the direction therein prescribed, would have included all the waters of Elk river: on proceeding to run that line, however, it was found to omit a considerable extent of those waters, on which were already settled about two hundred families. The Cherokees readily consented, for a moderate compensation, that the line should be so run as to include all the waters of that river; our Commissioners accordingly entered into an explanatory convention for that purpose, which I now lay before the Senate for consideration, whether they will advise and consent to its ratification. A letter from one of the Commissioners, now also enclosed, will more fully explain the circumstances which led to it.

Lieutenant Pike, on his journey up the Mississippi, in 1805, '6, being at the village of the Sioux, between the rivers St. Croix and St. Peters, conceived that the position was favorable for a military and commercial post for the United States, whenever it should be thought expedient to advance in that quarter. He therefore proposed to the chiefs a cession of lands for that purpose. Their desire of entering into connexion with the United States, and of getting a trading house established there, induced a ready consent to the proposition; and they made, by articles of agreement now enclosed, a voluntary donation to the United States, of two portions of land; the one of nine miles square, at the mouth of the St. Croix, the other from below the mouth of Saint Peters, up the Mississippi, to St. Anthony's Falls, extending nine miles in width on each side of the Mississippi. These portions of land are

designated on the map now enclosed. Lieutenant Pike, on his part, made presents to the Indians to some amount. This convention, though dated the 23d of September, 1805, is but lately received; and although we have no immediate view of establishing a trading post at that place, I submit it to the Senate, for the sanction of their advice and consent to its ratification, in order to give to our title a full validity on the part of the United States, whenever it may be wanting, for the special purpose which constituted in the mind of the donors, the sole consideration and inducement to the cession.

TH: JEFFERSON.

March 29th, 1808.

The message and papers were read.

Ordered, That they lie for consideration.

WEDNESDAY, MARCH 30, 1808.

The following written messages were received from the President of the United States, by Mr. Coles, his Secretary:

[CONFIDENTIAL.]

To the Senate and House of Representatives of the United States:

Since my message of the 22d instant, letters have been received from our Ministers at Paris and London, extracts from which, with a letter to General Armstrong, from the French Minister of Foreign Relations, and a letter from the British Envoy, residing here, to the Secretary of State, I now communicate to Congress. They add to the materials for estimating the dispositions of those governments towards this country. The proceedings of both indicate designs of drawing us, if possible, into the vortex of their contests; but every new information confirms the prudence of guarding against these designs, as it does of adhering to the precautionary system hitherto contemplated.

TH: JEFFERSON.

March 30th, 1808.

To the Senate of the United States:

I now transmit to the Senate the information requested in their resolutions of the 28th instant, from the Secretaries of the Treasury and War.

TH: JEFFERSON.

March 30th, 1808.

The messages were read.

Ordered, That they severally lie for consideration.

The Senate resumed the consideration of the nomination of William Hull.

On motion,

Ordered, That it be further postponed.

On motion by Mr. Pickering,

Resolved, That the President be requested again to lay before the Senate the papers relative to Great Britain and France, communicated confidentially to the Senate, in his message of the 22d instant.

A motion by Mr. Giles, to postpone the consideration hereof, having been negatived, the original motion was agreed to; and

Ordered, That the Secretary lay the resolution before the President of the United States.

THURSDAY, MARCH 31, 1808.

The treaty concluded between Lt. Z. M. Pike and the Sioux nation, was read the second time. The treaty made with the Cherokees was read the second time.

Ordered, That they be referred to Mr. Mitchill, Mr. Adams, and Mr. Tiffin, to consider and report thereon.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

The confidential papers desired by the resolution of yesterday, are now again sent to the Senate.

TH: JEFFERSON.

March 31*st*, 1808.

The Senate resumed the nomination of Governor Hull; and, on the question, Will the Senate advise and consent to the appointment, agreeably to the nomination?

It was determined in the affirmative: Yeas, 18; Nays, 10.

The yeas and nays having been required by one-fifth of the Senators present,

Those who voted in the affirmative, are—Messrs. Anderson, Bayard, Bradley, Condit, Gaillard, Giles, Gilman, Gregg, Kitchel, Mathewson, Milledge, Mitchill, Robinson, Smith, of Maryland, Smith, of New York, Smith, of Tennessee, Tiffin, and White.

Those who voted in the negative, are—Messrs. Crawford, Franklin, Goodrich, Hillhouse, Howland, Maclay, Pickering, Pope, Sumpter, and Turner.

Ordered, That the Secretary make return to the President of the United States, on the message of the 19th of February, 1808.

FRIDAY, APRIL 1, 1808.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate George Hodges, of Massachusetts, now Surveyor of the port of Salem, to be also Inspector of Revenue for the same port.

TH: JEFFERSON.

April 1*st*, 1808.

The message was read.

Ordered, That it lie for consideration.

SATURDAY, APRIL 2, 1808.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate Ebenezer Elmer, of New Jersey, to be Collector of the port of Bridgetown, in New Jersey

TH: JEFFERSON.

April 2*d*, 1808.

The message was read.

Ordered, That it lie for consideration.

MONDAY, April 4, 1808.

The Senate resumed the consideration of the message nominating George Hodges to office. Whereupon,

Resolved, That the Senate do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate resumed the consideration of the message nominating Ebenezer Elmer to office. Whereupon,

Resolved, Thatt he Senate do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary lay this resolution before the President of the United States.

WEDNESDAY, April 6, 1808.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate James H. McCulloch, of Maryland, to be Collector for the port of Baltimore.

Benedict Van Predelles, now a Commissioner for settling land titles in the eastern part of the Territory of Orleans, to be Register of the Land Office in the same part of the Territory.

TH: JEFFERSON.

April 6th, 1808.

The message was read.

Ordered, That it lie for consideration.

THURSDAY, April 7, 1808.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate Beverly Daniel, of North Carolina, to be Marshal for the district of North Carolina.

TH: JEFFERSON.

April 7th, 1808.

The message was read. Whereupon,

Resolved, by unanimous consent, That the Senate do advise and consent to the appointment, agreeably to the nomination,

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate resumed the consideration of the message nominating James H. McCulloch, and others. Whereupon,

Resolved, That they advise and consent to the appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

WEDNESDAY, April 13, 1808.

Mr. Mitchill, from the committee to whom was referred, on the 31st of March, the message of the President of the United States, of the 29th, and

the treaties concluded between the United States and the Sioux and Cherokee nations, made report.

Mr. Mitchill also submitted the following motion for consideration:

"*Resolved*, (two-thirds of the Senators present concurring therein,) That the Senate do advise and consent to the ratification of the treaty, concluded between the United States and the Cherokee tribe of Indians, at Chickasaw Old Fields, the 11th day of September, 1807."

SATURDAY, April 16, 1808.

The treaty made with the Cherokee nation was read the third time; and, On the question, Will the Senate advise and consent to the ratification of this treaty? It was determined unanimously in the affirmative: Yeas, 22.

Those who voted, were—Messrs. Adams, Anderson, Condit, Crawford, Gaillard, Goodrich, Gregg, Hillhouse, Howland, Kitchell, Maclay, Mathewson, Milledge, Mitchill, Reed, Robinson, Smith, of Maryland, Smith, of New York, Smith, of Ohio, Smith, of Tennessee, Sumpter, and Tiffin.

So it was

"*Resolved*, (two-thirds of the Senators present concurring therein,) That the Senate do advise and consent to the ratification of the treaty concluded between the United States and the Cherokee tribe of Indians, at Chickasaw Old Fields, the 11th day of September, 1807."

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate resumed the consideration of the report of the committee, to whom was referred the treaty made with the Sioux Indians; and the following amendment, proposed by the committee, was agreed to.

After the word "States," in the second line of the second article, insert the following words:

"Shall, prior to taking possession thereof, pay to the Sioux, two thousand dollars, or deliver the value thereof, in such goods or merchandise as they shall choose."

The treaty was read the third time by unanimous consent; and, on the question, Will the Senate advise and consent to the ratification of the same, with the amendments?

It was determined unanimously in the affirmative: Yeas 22.

Those who voted, were—Messrs. Anderson, Condit, Crawford, Gaillard, Goodrich, Gregg, Hillhouse, Howland, Kitchel, Maclay, Mathewson, Milledge, Mitchill, Reed, Robinson, Smith, of Maryland, Smith, of New York, Smith, of Tennessee, Smith, of Ohio; Sumpter, Tiffin, and White.

So it was

"*Resolved*, (two-thirds of the Senators present concurring therein,) That the Senate do advise and consent to the ratification of the treaty concluded between the United States and the Sioux tribe of Indians, at the mouth of the river St. Peters, on the twenty-third day of September, one thousand eight hundred and five."

Ordered, That the Secretary lay this resolution before the President of the United States.

THURSDAY, April 21, 1808.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate Ebenezer Elmer, of New Jersey, lately appointed Collector for the district of Bridgetown, to be also Inspector of Revenue for the port of Bridgetown.

Benjamin Parke, of Indiana, to be one of the Judges of the Territory of Indiana, vice Thomas Davis, deceased.

James Witherall, of Vermont, to be one of the Judges of the Territory of Michigan.

Ryland Randolph, of Virginia, to be Surveyor and Inspector of the Revenue for the port of Richmond.

Joseph Tarbell, now a Lieutenant in the Navy, to be a Master Commandant in the same, vice George Cox, resigned.

TH: JEFFERSON.

April 21st, 1808.

The message was read.

Ordered, That it lie for consideration.

FRIDAY, APRIL 22, 1808.

The Senate resumed the consideration of the message nominating Ebenezer Elmer, and others, to office.

Resolved, That they advise and consent to the appointments, agreeably to the nominations respectively; except to that of Ryland Randolph, referred to Mr. Reed, Mr. Adams, and Mr. White, to inquire and report thereon.

SATURDAY, APRIL 23, 1808.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate the several persons named in the enclosed list, to the several appointments therein proposed for them by the Secretary at War.

TH: JEFFERSON.

April 22d, 1808.

WAR DEPARTMENT, *April 21st*, 1808.

SIR: I have the honor of proposing for your approbation, the following promotions and appointments in the Army of the United States, under the act fixing the Military Peace Establishment of the United States.

First Regiment of Infantry.

First Lieutenant Ninian Pinkney, to be promoted to the rank of Captain, vice Russell Bissell, promoted to Major, December 9, 1807.

First Lieutenant William Carson, to be promoted to the rank of Captain, vice Moses Hooke, resigned January 20, 1808.

Second Lieutenant Simeon Knight, to be promoted to the rank of First Lieutenant, vice Ninian Pinkney, promoted December 9, 1807.

Second Lieutenant Alpha Kingsley, to be promoted to the rank of First Lieutenant, vice William Carson, promoted January 20, 1808.

Ensign John Read, to be promoted to the rank of Second Lieutenant, vice Simeon Knight, promoted December 9, 1807.

Ensign Louis Loramier, to be promoted to the rank of Second Lieutenant, vice Alpha Kingsley, promoted January 20, 1808.

Second Regiment of Infantry.

Second Lieutenant George W. Sevier, to be promoted to the rank of First Lieutenant, vice Wm. P. Clyma, resigned May 31, 1807.

Second Lieutenant John R. N. Luckett, to be promoted to the rank of First Lieutenant, vice Gilbert C. Russell, resigned August 17, 1807.

Second Lieutenant Robert Peyton, to be promoted to the rank of First Lieutenant, vice Henry R. Graham, resigned January 31, 1808.

Ensign Francis W. Small, to be promoted to the rank of Second Lieutenant, vice George W. Sevier, promoted May 31, 1807.

Ensign Samuel H. Mitchell, to be promoted to the rank of Second Lieutenant, vice John R. N. Luckett, promoted August 17, 1807.

Ensign William F. Ware, to be promoted to the rank of Second Lieutenant, vice Alfred Sebastian, dismissed January 20, 1808.

Ensign John Carter, to be promoted to the rank of Second Lieutenant, vice Robert Peyton, promoted January 31, 1808.

George W. Morgan, Robert Page, and R. H. L. Johnson, of Virginia, James W. Bryson, of Pennsylvania, and Archibald Henderson, of North Carolina, to be appointed Ensigns of Infantry.

Accept, Sir, assurances of my high respect and consideration.

H. DEARBORN.

PRESIDENT of the United States.

The Senate proceeded to consider said message. Whereupon,

Resolved, That they advise and consent to the appointments, agreeably to the nominations respectively.

Ordered, That the Secretary lay this resolution before the President of the United States.

Mr Reed, from the committee to whom was referred the nomination of Ryland Randolph, made report. Whereupon,

Resolved, That the Senate do advise and consent to the appointment, agreeably to the nomination.

Ordered, That the Secretary make return on the message of the 21st, to the President of the United States.

MONDAY, APRIL 25, 1808.

The following written message was received from the President of the United States, by Mr. Coles, his Secretary:

To the Senate of the United States:

I nominate Walter Winter, of Maryland, a Midshipman from March 22, 1799;

George H. Geddes, of Delaware, a Midshipman from October 14, 1799;

George Merrill, of Connecticut, a Midshipman from February 5, 1800;

William McIntosh, of Georgia, a Midshipman from April 30, 1800;

Samuel Woodhouse, of Pennsylvania, a Midshipman from May 22, 1801;

And William S. Butler, of Pennsylvania, a Midshipman from February 18, 1802; to be Lieutenants in the Navy of the United States.

TH: JEFFERSON.

April 23d, 1808.

The Senate proceeded to consider the said message.

Resolved, That they advise and consent to the appointments, agreeably to the nominations.

Ordered, That the Secretary lay this resolution before the President of the United States.

END OF THE TWENTY-SIXTH SESSION.